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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PROGRESSIVE CASUALTY INSURANCE,

CASE NO.: 3:23-cv-00038

Plaintiff,

vs.

BEAU POWELL, an individual; NICOLE BEALL, an individual; THE ESTATE OF TANA SUZANNE POWELL, by and through Beau Powell and Kim Dorsey Smith, judicially appointed Special Administrators of the Estate; the ESTATE OF DON ARTHUR POWELL, by and through Beau Powell and Kim Dorsey Smith, judicially appointed Special Administrators of the Estate; DONALD E. WEIR, an individual; RONEY R. GONZALEZ OTAZO, an individual; PROFESSIONAL MARINE HAULER, LLC, a Texas Limited Liability Corporation; BLUESTONE BROKERAGE, INC., an Illinois Corporation; A&M MARINA SERVICE CORP, a Florida Corporation; DOES I through X; and ROE CORPORATIONS I through X, inclusive,

Defendants.

**STIPULATION AND ORDER TO AMEND
PLAINTIFF'S COMPLAINT FOR
DECLARATORY RELIEF**

**(Exempt from Mandatory Arbitration
Program Pursuant to NAR 3(A) and 5(A))**

It is hereby stipulated, by and between the Parties and their respective counsels of

1 record, as follows:

2 1. Plaintiff Progressive Casualty Insurance shall have leave to amend its Complaint
3 to add the following Defendants to this lawsuit: Raymond Perra and Wendy Perra, husband and
4 wife; Maria Woods, individually; Robert Woods, individually; Paola Vazquez, individually; Lana
5 Hardy, individually; Phyllis Atkinson, individually; Tristan Nollsch, individually; USAA Casualty
6 Insurance Company as Subrogee for Defendants Beau Powell, Nicole Beall, The Estate of Tana
7 Suzanne Powell, and The Estate of Don Arthur Powell; CSAA General Insurance Company as
8 Subrogee for Defendants Robert Woods and Maria Woods; State Farm Mutual Automobile
9 Insurance Company as Subrogee for Defendant Paola Vazquez; Privilege Underwriters
10 Reciprocal Exchange as Subrogee for Defendant Lana Hardy; AARP Insurance Program The
11 Hartford as Subrogee for Defendant Phyllis Atkinson; and State Farm Mutual Automobile
12 Insurance Company as Subrogee for Defendant Tristan Nollsch.

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14 2. Further, Plaintiff shall have leave to include in its First Amended Complaint for
15 Declaratory Relief information pertaining to the above-named Defendants as they relate to this
16 matter.

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18 3. Therefore, Plaintiff has attached hereto as **EXHIBIT A** its [Proposed] First
19 Amended Complaint for Declaratory Relief, and as **EXHIBIT B**, its [Proposed] First Amended
20 Summons, to streamline the dispute between the parties and to promote judicial economy.

21 4. Lastly, Plaintiff shall not be required to personally serve its First Amended
22 Complaint for Declaratory Relief and First Amended Summons on the parties that have already
23 filed a responsive pleading.

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IT IS SO STIPULATED.

DATED this 28th day of June, 2023.

KEATING LAW GROUP

By: /s/John T. Keating
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DATED this 28th day of June, 2023.

SIMONS HALL JOHNSTON PC

By: /s/Brad M. Johnston
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DATED this 28th day of June, 2023.

LEVERTY & ASSOCIATES LAW CHTD.

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Nicole Beall, The Estate of Tana Suzanne Powell,
and The Estate of Don Arthur Powell

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: June 29, 2023